The Judgment or Resolution of all the Lords, the Judges, and other the Lords Assembled in Star-Chamber, *Anno Regni Regis Jacobi Secundo*, Mentioned in the Lord Chancellors Speech, to the Lord Mayor and Aldermen of *London*, attending His Majesty in Council, the 10th. of *December*, in the 31th. Year of His said Majesties Reign, *Annoque Domini*, 1679. Touching procuring Hands to Petitions Relating to State-Affairs.

Memorandum, *Sett. Cro. Jacob. fol. 371*

THat by Command from the King all the Justices of *England* with diverse of the Nobility, *viz.* The Lord *Ellesmere*, Lord Chancellour; the Earl of *Dorset*, Lord Treasurer; Viscount *Cranbourn* Principall Secretary; the Earl of *Nottingham*, Lord *Admirall*; the Earl of *Northumberland*, *Worcester*, *Devon* and *Northampton*, the Lord *Zouch*, *Burghley* and *Knowles*, the Chancellour of the *Dutchy*, the Arch-Bishop of *Canterbury*, the Bishop of *London*, *Popham* Chief Justice, *Bruce* Master of the Rolls, *Anderson*, *Gawdy*, *Walmesley*, *Fenner*, *Kingsmil*, *Warberton*, *Savel*, *Daniel*, *Telverton* and *Snigg*, were assembled in the Star-Chamber, where the Lord Chancellour after a long Speech made by him concerning Justices of the Peace, and his exhortation to the Justices of *Assise*, and a discourse concerning Papists and Puritans, declaring how they both were disturbers of the State, and that the King intending to suppress them, and to have the Laws put in execution against them; demanded of the Justices their Resolutions in three things.

First, Whether the deprivation of Puritan Ministers by the High Commissioners for refusing to conform themselves to the Ceremonies appointed by the last Canons was lawful, whereto all the Justices answered,

That they had conferred thereof before, and held it to be lawful, because the King hath the supreme Ecclesiastical power, which he hath delegated to the Commissioners, whereby they had the power of Deprivation by the Canon-Law of the Realm. And the Statute of 1 *Elizabeth*, which appoints Commissioners to be made by the Queen, doth not confer any new power, but explain and declare the ancient power. And therefore they held it there, that the King without any Parliament might make Orders and Constitutions for the Government of the Clergy: and might deprive them if they obey not, and so the Commissioners might deprive them. But they could not make any Constitutions without the King, and the divulging of such Ordinances by Proclamation is a most gratious Admonition; and forasmuch as they have refused to obey, they are lawfully deprived by Commissioners *ex officio*, without libell, *Et ore tenus convocati*.

Secondly, Whether a Prohibition be grantable against the Commons upon the *Stat.* of 2. *H.* 5. if they do not deliver the Coppy of the Libel to the party; whereto they all answered, That that *Stat.* is intended where the Ecclesiasticall Judge proceeds *ex officio & ore tenus*.

Thirdly, Whether it were an offence punishable, and what punishment they deserved, who framed Petitions and collected a multitude of hands thereto, to prefer to the King in a publick cause, as the Puritans had done, with an intimation to the King, that if he denyed their suit, many thousands of his Subjects would be discontented: Whereto all the Justices answered, that it was an offence finable at discretion, and very near Treason and Felony in the punishment, for they tended to the raising of Sedition, Rebellion and discontent among the people: To which Resolution all the Lords agreed. And then many of the Lords declared that some of the Puritans had raised a false rumor of the King, how he intended to grant a Toleration to Papists: Which offence the Justices conceived to be hainously finable, by the Rules of the Common-Law, either in the *Kings-Bench*, or by the King and his Council; or now since the Statute of 3. *Henry* 7. in the Star-Chamber. And the Lords severally declared, how the King was discontented with the said false rumour, and had made but the day before a protestation unto them, that he never intended it, and that he would spend the last drop of blood in his body, before he would do it; and prayed that before any of his Issue should maintain any other Religion, then what he truly professed and maintained, that God would take them out of the World.

~~and here, were assembled in the Star-Chamber, where the Lord Chan-~~

FINIS.

~~That they had committed thereof before, and held it to be lawful, because the King hath the Supreme Ecclesiastical power, which he hath delegated to the Commissioners, whereby they had the power of Deprivation by the Canon-Law of the Realm. And the Statute of 1 Eliz. which appoints Commissioners to be made by the Queen, doth not confer any new power, but declare and declare the ancient power. And therefore they held it clear that the King without any Parliament might make Orders and Constitutions for the Government of the Clergy: and might deprive them if they obey not. and so the Commissioners might deprive them. But they could not make any Constitutions without the King, and the divulging of such Ordinances by Proclamation is a most grievous Admonition: and forasmuch as they have refused to obey, they are lawfully deprived by Commissioners as they have, without libell, Et sic rem remove.~~

~~Secondly, Whether a Prohibition be granable against the Commons upon the Stat. of 2 & 3 E. if they do not deliver the Copy of the Libel to the party: whereto they all answered, That that Stat. is intended where the Ecclesiastical Judge proceeds ex officio.~~